

**ORDINANCE NUMBER 20-O-61**

**AN ORDINANCE ISSUING A SPECIAL USE PERMIT TO ALLOW A  
CANNABIS CRAFT GROWER, PROCESSOR, INFUSER AND TRANSPORTER  
ON LOTS 11 AND 12 OF THE PROPOSED AIRWAY INDUSTRIAL PARK  
SUBDIVISION, 1100 BORDEN LANE, WOODSTOCK, ILLINOIS**

WHEREAS, the City of Woodstock, McHenry County, Illinois, is a home rule municipality as contemplated under Article VII, Section 6, of the Constitution of the State of Illinois, and the passage of this Ordinance constitutes an exercise of the City's home rule powers and functions as granted in the Constitution of the State of Illinois; and

WHEREAS, MCG, LLC (the "Petitioner"), has petitioned the City of Woodstock, an Illinois municipal corporation in McHenry County, Illinois (the "City"), for a Special Use Permit to allow a Cannabis Craft Grower, Processor, Infuser and Transporter on the 5.2 acre site referred to as Lots 11 and 12, Airway Drive, in the Proposed Airway Industrial Park Subdivision, 1100 Borden Lane, Woodstock, Illinois (the "Subject Property"), said property being legally described in Exhibit A, attached hereto; and

WHEREAS, on July 23, 2020 and after due notice in the manner provided by law, the Plan Commission conducted a public hearing on the Petitioner's request for a Special Use Permit on the Subject Property; and

WHEREAS, at the conclusion of said public hearing, the Plan Commission voted to recommend that the Petitioner's request for a special use permit on the Subject Property be approved, subject to certain conditions and limitations (8 – 0 vote); and

WHEREAS, the Mayor and City Council have considered the findings and recommendation of the Plan Commission and concur with said recommendation.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and City Council of the City of Woodstock, McHenry County, Illinois, as follows:

SECTION 1: All recitals are incorporated herein and made part of the terms of this Ordinance.

SECTION 2: A special use permit is hereby approved to allow the construction of a Cannabis Craft Grower, Processor, Infuser and Transporter on the Subject Property, in accordance with the plans submitted as part of the petition and subject to the following conditions;

- 1) A minimum of 19 parking spaces shall be provided.
- 2) The applicant and City Staff shall work with the Woodstock Fire/Rescue District to address any concerns they may have relating to the site layout and building.
- 3) The supplemental use requirement that no Cannabis Craft Grower shall be located within 2,500 feet of the property line of a preexisting public or private preschool or elementary or secondary school or day care center, day care home, group day care home, part day child care facility, or public or private park or an area zoned for residential use shall be waived.
- 4) A chain-link fence, topped with barbed wire, having a maximum height of 10 feet shall be allowed, but additional landscaping in the front yard shall be provided to reduce the visual impacts of said fence.
- 5) Final landscaping plans, building elevations and site lighting shall be reviewed by Staff for conformance with UDO requirements as part of the Project Review process when application for building permits are submitted.
- 6) The final plat for the Airway Industrial Park Subdivision shall be approved by the City and properly recorded with McHenry County.

SECTION 3: That the limitation on the number of Cannabis Craft Growers allowed in the City, as found in Section 7B.2.10 of the Woodstock Unified Development Ordinance, shall be and hereby is waived.

SECTION 4: That all other requirements set forth in the City of Woodstock Unified Development Ordinance, as would be required by any owner of property zoned in the same manner as the Property shall be complied with and compliance with said requirements is a condition to the special use permit granted herein.

SECTION 5: The report and findings of the Plan Commission are hereby accepted.

SECTION 6: If any section, paragraph, subdivision, clause, sentence or provision of this Ordinance shall be adjudged by any Court of competent jurisdiction to be invalid, such judgment shall not affect, impair, invalidate or nullify the remainder thereof, which remainder shall remain and continue in full force and effect.

SECTION 7: All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 8: This Ordinance shall be known as Ordinance Number 20-O-61 and shall be in full force and effect upon its passage, approval and publication in pamphlet form (which publication is hereby authorized) as provided by law. This ordinance and the special use permit authorized herein shall remain in effect in perpetuity.


Ayes: Flynn, Lohmeyer, Piersall, Prindiville, Tebo, Turner, Mayor Sager

Nays: None

Abstentions: None

Absentees: None

APPROVED:

  
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Mayor Brian Sager, Ph.D.

ATTEST:

  
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City Clerk Cindy Smiley

By Chief Deputy City Clerk Jane Howie

Passed: 8/4/20

Approved: 8/4/20

Published: 8/4/20

## **EXHIBIT A**

Part of the Southwest Quarter of Section 31, Township 45 North, Range 7 East of the Third Principal Meridian, being described as follows: Commencing at the Northeast corner of said Southwest Quarter; thence South 00 degrees 08 minutes 46 seconds East along the East line thereof, 709.28 feet; thence South 44 degrees 46 minutes 47 seconds West, 89.02 feet to the Place of Beginning; thence continuing South 44 degrees 46 minutes 47 seconds West, 572.57 feet to a line 396.00 feet Northeast of and parallel with the Northerly line of the Chicago and Northwestern Railroad right of way; thence North 47 degrees 03 minutes 28 seconds West along said parallel line, 274.62 feet; thence Northwesterly 31.01 feet along a curve to the right having a radius of 967.00 feet, the chord of which bears North 46 degrees 08 minutes 20 seconds West, 31.01 feet; thence North 45 degrees 13 minutes 13 seconds West, 294.51 feet; thence North 44 degrees 46 minutes 47 seconds East, 433.25 feet; thence South 45 degrees 13 minutes 13 seconds East, 10.00 feet; thence South 17 degrees 17 minutes 41 seconds East, 106.15 feet; thence South 43 degrees 40 minutes 25 seconds East, 131.25 feet; thence South 70 degrees 00 minutes 01 seconds East, 126.19 feet; thence South 79 degrees 03 minutes 15 seconds East, 267.59 feet; thence South 45 degrees 13 minutes 13 seconds East, 28.17 feet to the Place of Beginning, in McHenry County, Illinois.

## CERTIFICATION

I, CINDY SMILEY, do hereby certify that I am the duly appointed, acting and qualified City Clerk of the City of Woodstock, McHenry County, Illinois, and that as such Clerk, I am the keeper of the records and minutes and proceedings of the Mayor and Council members of said City.

I do hereby further certify that at a regular meeting of the Woodstock City Council, held on the 4<sup>th</sup> day of August, 2020, the foregoing Ordinance entitled *An Ordinance Issuing a Special Use Permit for a Cannabis Craft Grower, Processor, Infuser and Transporter on Lots 11 and 12, Airway Drive, in the Proposed Airway Industrial Park Subdivision, 1100 Borden Lane, Woodstock, Illinois*, was duly passed by said City Council.

The pamphlet form of Ordinance Number 20-O-61, including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance was posted in the City Hall, commencing on the 11<sup>th</sup> day of August, 2020, and continuing for at least 10 days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the City Clerk.

I do further certify that the original, of which the attached is a true and correct copy, is entrusted to me as the Clerk of said City for safekeeping, and that I am the lawful custodian and keeper of the same.

GIVEN under my hand and corporate seal of the City of Woodstock this 11<sup>th</sup> day of August, 2020.

Cindy Smiley  
Cindy Smiley, City Clerk  
City of Woodstock,  
McHenry County, Illinois

(SEAL)

By Chief Deputy City Clerk Jane Hourie



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**ORDINANCE PASSED BY THE**

**MAYOR AND CITY COUNCIL**

**OF THE CITY OF WOODSTOCK**

**AT THEIR REGULAR MEETING ON AUGUST 4, 2020**

**PUBLISHED IN PAMPHLET FORM BY THE AUTHORITY OF**

**THE CITY COUNCIL**

**OF THE**

**CITY OF WOODSTOCK**

**Mayor:**

**Brian Sager**

**City Council:**

**Darrin Flynn  
Lisa Lohmeyer  
Wendy Piersall  
James Prindiville  
Gordon Tebo  
Michael Turner**

**Clerk:**

**Cindy Smiley**

